

MEETING NOTES

Libby North Corridor Study

Meeting Name: Alternative Workshop

Date: Tuesday, May 8, 2007

Time: 8:00pm-2:30pm (included field trip of the corridor)

Location: Libby, Montana
Forest Service Supervisor's Office, 1101 US Hwy 2 West, Large Conference Room

Organizer: Jean Riley and Ron Clegg

Attendees: Jean Riley (MDT), Shane Stack (MDT), Bob Burkhardt (FHWA), Rita Windom (Lincoln County), Marc McCully (Lincoln County), Malcolm R. Edwards (FS-Libby), Tom Kahle (MDT), Paul Stantus (FS-Libby), Lani Kai Eggertsen-Goff (PB), Tom Grabinski (FS-Libby), Ron Clegg (PB), Dennis Naillon (PB), Wayne Noem (MDT), Scott Jackson (USFWS), and Lynn Zanto (MDT)

Purpose of the Meeting:

The purpose of this meeting was to hold an alternatives workshop with staff from MDT, representatives from Lincoln County, the resource agencies that have jurisdiction over resources in the Libby North study area, and the consultant, PB. Today's meeting provided an opportunity for the project team to explain the status of the study to the participants and receive input from them regarding issues and concerns about the Alternatives Development Memorandum. This memo will be used as a basis for a Draft Corridor Study Report document. Input received during the meeting will be used in the development of the improvement options, and used in the Corridor Study Report prior to distribution to the public and to agencies for formal comments. The discussion of the meeting is summarized below.

Discussion Items:

INTRODUCTION

The Libby North study is located along Pipe Creek Road, but outside the area being considered in the Western Federal Lands Study. The study area is between the Bobtail Cutoff Road and the Turner Mountain Road (MP 6.1- MP 20.1). The meeting was intended to identify alternatives and impacts (including safety), and monetary/funding constraints. A draft Corridor Study (the Study) will incorporate the work done to date, today's meeting discussions and research completed in an environmental scan, which will result in a document to be presented to the public and to solicit comments from Resource Agencies.

Ron pointed out the main items discussed in the Alternatives Development Memo, safety problems, poor pavement condition, snow storage and removal. Accidents were identified up and down the corridor, but a cluster between 6.1 and 8 is puzzling. Discussion of what accident reports listed as “driving to fast” and “inattentive” as well as whether the higher accident rates are due to transition (off of Hwy 37).

Ron asked Scott Jackson to give a brief summary of how the grizzly bear recovery zone and other factors related to grizzly bear and the modification of the existing roadway could be addressed in the Libby North Corridor Study (LNCS). Often, when a road project is proposed through mountainous corridor areas, the area becomes more attractive for recreation and home or cabin sites. Over time when you put more people and bears into contact not all the conflicts between bears and people can be quantified or blamed entirely on any one road project.

This road currently has low traffic, is already paved and has an ADT of 150-200. Even at very low volumes you can get direct bear mortality (a bear hit by a vehicle). He suggested a section in the Study on management strategies, maybe a “Best Practices” type section describing scenarios if you live in the forest (bear habitat), e.g. public education regarding keeping garbage from bears. This would be informational only, and would not suggest widening of the road can occur if residents just do “the right thing” in regards to wildlife.

There was discussion about once the road is improved, if it is, more development will likely occur. Lincoln County has limited land in private ownership compared to the amount in public ownership. Lincoln County is working on a Growth Plan, this is in process. Currently there are no development restrictions and no zoning in place. It would be good to have a rough inventory of Private Land (including Plum Creek owned lands).

The question arose about what entity will right-of-way (ROW) ownership end up with, MDT, Lincoln County or Forest Service, if the highway becomes a “state secondary” road. Lincoln county currently has permitting authority for access to Hwy 567. There would be a systems impact process, to evaluate the development of a project of a certain size, what conditions are needed to keep the mobility at an acceptable level.

Current schedule of maintenance on the corridor is that winter maintenance is done by the County and summer maintenance by the Forest Service. If it becomes a “state secondary” and also a “forest highway” it is not fully understood what will occur with the maintenance of the roadway. It will be up to MDT to secure funding for maintenance budget (legislatively). County could keep winter maintenance, but MDT would likely fund the maintenance. According to Tom Grabinski the Forest Service maintains roads for resource management not for transportation or the comfort of drivers.

A question was raised about the project to the north of the Libby Corridor Study area, from the ski area, Turner Mountain, up to the community of Yaak. Western Federal Lands is waiting to see what the result of this Study will be.

Review of the problems identified in the Tech Memo

Ron began to review the 11X17 sheets of the Roadway Inventory. Sheet RD-5 Shane asked about bridge information (structurally obsolete, sufficiency ratings) and Tom has sent bridge inspection results to MDT, basically OK. The south bound approach should have guard rail installed.

On sheet RD-07 at RP 8 Marc said the side slope is too steep. Paul stated that large boulders above the roadway have had to be intentionally “removed” to avoid these falling into the roadway.

Curve at RP11 is similar to RP 8, per Marc, the road was totally blocked off once this year. One rock was a dump truck load by itself, the most unstable time of year is after winter, during thaw “break up” time.

Existing guardrail safety project from RP 10.8 to 11.2 will include curve signs, speed plates and chevrons. This is tied to a couple of locations, per Tom and Shane.

Ron asked who owns the right-of-way (ROW). Tom stated that FS owns ROW and that MDT or any other public or private land owners only have fee ownership if the road goes directly through Forest Service owned land. Some sections have easements only through private lands with stipulations on shifting ROW as needed.

Scott Jackson answered an inquiry about compensatory mitigation, or off setting impacts that may occur to species if MDT does “non-required” or above and beyond regulated requirements, such as a less restrictive culvert at a stream crossing. Scott said that USFWS has not really done anything like that in Montana to date. Proposed mitigating measure within a “proposed project” instead of coming to Section 7 consultation and having FS or FWS assigning mitigation ‘after the fact’ could occur. If you can build in some good minimizations to come up with lesser sum of total impacts that could lead to offset of impacts.

Continuing on the review of inventory sheets, RD-30 local hunters have cut a trail head where folks typically park on the East side of the road and the ‘hunter trail’ meets up with a FS trail. Paul stated that some sort of pull out should be identified.

RD-36, Marc stated that this winter wasn’t a bad winter and it still got plugged up in that area. Snow removal goes to hillside, once it gets too full then they have to push snow across the road and it can be an issue of safety for the snow plow operator or cars traveling the roadway. Also, they can only plow “normally” about 2/3 of the winter. About 2/3 of the way through winter, the roadway becomes more like a driveway and not a road by county standards because it becomes so narrow or constrained by snow. Rita said Lincoln County would gladly accept a gift of a rotary snow plough. Last time they looked into it, the cost for a really used model was still \$60,000 and about \$250,000 for a new one. Scott said that when it comes to comparing human safety versus a little dirty snow (no chemicals) FWS is not going to object.

RD50-51 ROW doesn’t currently have road centered in the ROW. Tom said that there is a need to look at wording in easements, the centerline of road can equal the center of ROW if both parties agree to that in the deed.

RD 52-57 Design speed is 45 mph. No posted speed limits currently. Paul said that a structural plate arch (one pipe_ past road junction is to standard. This is where the East Fork comes into Pipe Creek and the main Pipe Creek crossing. It is designed to a FS 100 year storm event.

RD 57-58 Approximately at the match line there is anew snowmobile trail put in here. (150 yards) Potential crossing problem is acceptable by FS road regulations, but state law requires a 90 degree crossing. The corridor can be approved as “side of corridor” of Hwy 567 if the roadway can be used by snow mobiles.



The last two to three sheets show the tight curve radiuses. Sheets 61-62 (some missing from photocopies that participants had). Marc stated concrete barriers or guard rails make it tough for snowplow trucks or graders to clear snow.

Tom said that informal consultation has occurred so far in the tribal realm. The folks in the Kootenai, Cabinet-Yaak, Libby areas are aware of this study. FS has advised the tribe that there is a potential project, but until there is an actual NEPA process no formal consultation will occur. FS can act as lead agency on this consultation if a project happens. Becky Timmons is the Heritage Program leader in Libby, and for the Kootenai Salish tribe Loretta Stevens is the contact.

There was discussion that work on this corridor would be potentially phased and multi faceted type project.

Archeological consideration for Old Pipe Creek road that winds in and out of the existing roadway for Hwy 567 may have a "historic trail" designation according to Tom.

Per Wayne it is not possible to do the whole thing (from approximately RP 6 to RP20) all at once. There is only about \$5 – 5.5 million available for construction costs. Money would have to be put into the next transportation bill. He stated "the longer we wait, the less we can get done" on this roadway. Shane proposed the scenario of looking at the whole corridor, realizing they can't do the whole stretch. The County can choose to have a second portion become second priority on the MDR Secondary Road Program.

Western Federal Lands (WFL) has already designated the north end of the corridor as secondary but if this designation is for the portion north to RP20 it may be possible to do something with those funds to say from RP 15 (potential stopping point of spot improvements) may be able to move the funds.

From the county's perspective, the main concern is that this stretch be a safe highway. This includes for people coming into Libby using ambulance service, commuters between the community of Yaak and Libby, and the recreational users. Recreational use potential with Turner Mountain is high on the list as part of the economic diversity.

According to Wayne one year's worth of funding allocation could be used for PE, IC and ROW.

Public told MDT what they wanted, during the public meeting in October. Rita was surprised that they didn't want more (i.e. full reconstruct).

Shane thinks the options need to go to a mixture and look carefully at accident cluster areas. Also, look at driver expectancy and make a consistent width as much as possible.

Scott wanted to verify that the cost is broken out by each of the Options. He asked if PB looked at "spot improvements only" costs. Dennis said that he had estimated fill slopes, mainly looked at doing widening while you are in there and didn't look at costs of "spot fixes." Ron and Dennis agreed to revise the cost estimate information in the Draft Corridor Study document.

Scott clarified that the reason he wanted MDT to look carefully at spot improvements is that from a species impact standpoint, spot improvements would be more attractive.

Lynn talked about Highway Safety funding. At RP 11 there is consensus to fix that spot (reconstruct) and then look at improvements PTW to certain MP that makes sense. This would allow rehabilitations to the pavement in certain areas, how far up from the south end of the corridor can you get until you run out of funding? This could be assessed with the options cost estimate information being broken out a little more. Lynn suggested that during the field review time, participants could identify some possible logical termini.

Dennis said he'd calculated a quick "ball park" estimate and it was approximately \$1.8 million/ mile. Full reconstruct could only happen for 2-3 miles with current funding at this cost per mile estimate.

Wayne suggested that MDT look at doing a rehabilitation on as much of the roadway as possible and do "full reconstruct" as little as possible, i.e. not likely to be able to bring the entire roadway up to full AASHTO standard.

Discussion continued about the 4:1 v-ditch with design exceptions to allow for better snow removal, and for rehabilitation areas, stay on the same alignment grade as much as possible. Marc said that no lane delineation currently, if striped, that has got to help things out.

An example of design speed versus posted speed limit to aid in lowering travel speeds is the Remini watershed for the City of Helena. This road has a posted speed limit of 55 since they don't want it to be seen as a super highway. They have 6 inch striping, spaced differently to make it feel "narrower" along the roadway, this is an optical illusion that works to encourage drivers to slow down.

ROW costs shown would not be \$25K if coming from FS ownership to MDT ownership, Tom suggested that cost cut could save some on the estimate.

2012 is the earliest that any construction could occur, per Wayne this would depend on a lot of variables. Spot improvements can happen, but has to be related to some type of construction project for funding purposes.

Marc and Rita both suggested that MDT fix all the bad spots, and pointed out that striping could be good during summer, but will likely be covered five months of the year (with snow).

Paul liked the idea of reconstructing down to twenty two feet width so drivers will expect certain width and will want to keep to consistent speeds. He also described some land ownership changes near Yaak, Champion had sold some lands and now people reside there year around. He also sees that there is still a lot of development continuing to go on and people use Hwy 567 as the shortest route to town, and the roadway has become something it wasn't intended for (it started out as a haul road for timber). He's more concerned about staying at 22 feet wide (or less) and stay out of the hillside. He also thought we should keep to AASHTO low volume (low speed) road standards with virtually no guardrails.

Bob said that he thinks with spot improvements MDT can keep inconsistency to only limited areas (20 feet versus 22 foot width).

Ron asked the question of Scott, "could MDT get sued if Hwy 567 is reconstructed if a bear were to get killed by a vehicle on the "new" roadway? Scott replied that there are all types of potential for suits, but what that suit

would actually come to (whether it would be productive) is questionable. He pointed out railroads result on many more collisions with bears than highways.

Malcolm asked where would a law suit come from after construction, and the answer was that the action would more likely occur during a planning or environmental process. Scott pointed out that if we didn't take bears into account, i.e. designed for too high a speed or guardrails weren't place in appropriate spots, then more likely that a suit would be filed.

Shane asked if a speed study had been done. Paul said that FS law enforcement could issue tickets when vehicles travel at 45 mph or more up to the base of the Turner Ski Resort Hill. But no formal study has been done.

Transportation Commission approval would be required for a 45 mph speed limit to be posted, since the roadway would be a secondary highway. Tom stated he doesn't think that the State can require a 70 mph speed limit through the FS owned area since it is not in the State's jurisdiction.

Wayne said that an advisory speed plate of 35 mph with a design speed of 45 mph could be a good compromise.

Scott answered a question about what is considered a "take" for Grizzly Bears on highway projects. It's not whether the bear is going to cross another 2-4 feet of pavement, but it more the driver speeds and more ADT. FWS does not want the grizzly bear to be a factor in compromising human safety issues. The narrower we can get the improvements to Hwy 567, the better for the bears, but want to make sure safety issues and snow plow/storage are addressed.

How much should MDT do in Corridor Study process versus in the NEPA process? Per Jean Riley the Purpose and Need, alternatives proposed can come from the Corridor Study and then use those to move to more detailed environmental analysis in NEPA.

Loon Lake/East Fork roads existing width noticeably and consistently a problem. Marc said that approximately 22 feet is ok for snow removal, from mile 19 (this is the 35 mph section) and you can't do much about it because of the slopes to the sides of the roadway. Scott asked if MDT can do a narrowing in only some sections and other sections can be same width as that at MP 6-7 area. Wayne said he thinks you need to start with 24 foot width for future overlays to be practical. Shane said that it is uncertain when/why MDT will need to be that wide, hopes it won't ever be necessary as a 5000 ADT road.

Scott asked if there is going to be an adjustment on thinking about ways to segment the road, how do you choose various widths?

Marc suggested that the last mile is the most dangerous, there are five to six tracks in the snow (off the roadway) in one day. People have to slow down because it is narrow and winding. Ron responded that guardrail installation in these sections would mean there would have to be a little bit more width to accommodate the guardrail.

Rita wants to see a 22 foot top, and maintain the aesthetic value of the road, while fixing the really bad spots. The consistency of the roadway is important. She thinks it is not the folks that use the road every day that get into trouble, it is the occasional or new user and more and more bicycle use is occurring to add to the mix.

Scott asked if you had to choose between “spot improvements” or consistent road width, what would be the preference? Dennis replied that start out at the bottom and top of the corridor and work your way to the middle could be a good approach.

Bob said he didn’t think lack of funding could be used as the reason not to do something for the bad spots.

Wayne reminded the group that Counties, Public, MDT and FS need to advance their priorities for transportation projects and then MDT can come up with an Implementation Plan.

Rita suggested that we identify the sections of the road where “you meet someone during the winter and have to back up due to narrow roadway width” and fix those areas.

Malcolm said he wanted to make sure that the problem with shade on the roadway is not forgotten. On straight ways the ice lingers a lot longer.

Ron asked the group to identify the main priorities, with the following responses coming from the participants:

- Snow removal; make ditches where snow can go, maybe 10 to 12 feet long. Maybe safety funding could be used toward purchase of snow removal equipment. The problems with snow removal currently are mostly due to slope. Marc and Paul suggested a concentration on areas that have banks, width isn’t really a concern for plowing.
- Identify key areas where need ditch vs. width
- 24 foot width side friction, striping will keep drivers in summer time in the lanes, snow will do that in the winter
- Wayne would like to see 26 foot widths through as much of the corridor as possible, or at least 24 foot rehabilitation and spot construction.
- Scott prefers Option 2, plus spot improvements if possible.
- Option 3 is not where we want to go, inconsistency is not desirable. Ideally 24 feet, may not be achievable for construction, cost, environment.
- Look at guardrail standards
- For the State to take over maintenance costs (versus Lincoln County) MDT would have to go to the legislature for funding, but could have the County continue the maintenance, funded by MDT budget.
- Look again at benefits/costs for using safety funding, some of the money is booked out for 20 years, per Shane.

Field trip notes:

Don’t need to rework the corner at RP 6.

Don't want to touch the bridge if not necessary. Crossing at RP 8, no evidence of erosion. Don't have any intention of going into Pipe Creek, so may have to creep up the hill a bit.

RP 9.0 about a quarter mile of pot holes, not bad.

RP10 Blue Creek Road, used mainly by logging trucks. No defined ROW on FS lands. Crumbling rock could be a "borrow site" for spot improvements. Could scale it back and maybe have more snow storage since the snow wouldn't have to be pushed across the roadway, and maybe could flatten out the curve. The stream is currently being constricted and this results in increased velocity through the pipe, allows for fish passage, yes, but not ideal.

RP13 Spot where hunters park for convenience.

43 small patches of repaired surface before and after RP 14, done by the FS recently.

Snow storage just before RP 15, if at least 22 feet here could accommodate some pull out areas during winter. Could possibly fill in some stretches (if widening occurs) that would allow for snow storage, large coarse rocks on the edges of roadway could serve as a sort of French drain.

RP17 the east side of the "ditch" is used for snow machines. Major intersection that hooks to Hwy 584 here. Road is open June until when the "snow flies" when FS staff go up and close it to motorized travel, usually around December 1. This helps protect Grizzly Bear habitat.

A large road bike event occurs here, "Stoker Scenic Tour of the Kootenai River" as a benefit for charity. The event is a 105 mile ride that starts and ends in Libby.

RP 18 Pavement is deteriorating (pavement crumbles). Two large structures have been recently added by the FS, one for fish passage. Just before RP19 is a snowmachine trail.

800 to 900 foot elevation gain over the 20 mile study corridor roadway.

Between Loon Lake road and Trail #226 (bridge) only would require a cut in of about 3 feet and this would allow for snow storage and stable road bed area. From RP 7-12 is fairly straight forward to look at spot improvements, minimize the impact to ditches, existing roadway is acceptable for the most part. From RP 12-17 this stretch encompasses the bridge, little cut and fill areas, then from 17/18 to end is the hardest part, that could take all the funding by itself. Adding guardrail almost all the way between 18 and 20 would increase safety a lot.

OTHER COMMENTS

The group discussed the possibility of having a public meeting in July or August to present the Draft Corridor Study. PB will follow up with MDT on this for specific dates, location and times.

The group went on a site visit in 3 separate vehicles from MP 6 to MP 20. The site visit was from about 11:45 a.m. to 2:15 p.m.



Attachments

Agenda
Sign-in Sheet

Alternatives Workshop
Tuesday, May 8th 2007
AGENDA

Tuesday May 8th: 8:00a.m. to 1:30 p.m.

**Kootenai National Forest Office, Forest Supervisors Office, Large Conference Room
1101 US Hwy 2 West**

Lunch will be provided

- 8:00 Welcome and introductions (Lynn Zanto)
- 8:20 Status report of the study (Ron Clegg)
- 8:40 Discussion of Existing Conditions
 - Substandard geometry
 - Accidents
 - Clear zone
 - Environmental concerns
- 9:00 Discussion of Alternatives Development Memo
 - Review the options presented
 - Are there other combinations?
 - Short term and long term improvements
 - Funding
 - Identify a preferred option to implement
- 11:00 Next Steps
 - Finish Corridor Plan
 - Public Information Meeting
 - Implementation – discuss plans for implementation
- 11:30 Lunch
- 12:00 Field Review
- 1:30 Adjourn

May 8, 2007 Libby Corridor Study
Agency Alternatives Screening Workshop

Name Office email

Sean Riley
Shane Stack

Bob Burkhart

Rita Winder

Mark McCully

Malcolm R Edwards

Tom Kahl

Raul Starnis

Lauri Egerton-Goff

FS-Libby

PB

Dennis Nailor

Wayne Noem

Scott Jackson

Yvonne Lamb

MDT-Helena

MDT-Missoula

FHWA

Kinosh Co. Commissioner

Lincoln Co Libby Co.

FS-Libby

MDT-PLANNING

FS-Libby

PB

FS-Libby

PB

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USFWS-Helena

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MEETING NOTES

Libby North Corridor Study

Meeting Name: Agency Coordination Meeting

Date: Thursday, October 19, 2006

Time: 1:00pm-2:30pm

Location: Helena, Montana
MDT Planning Building

Organizer: Jean Riley and Ron Clegg

Attendees: Ron Clegg (PB), Stewart Lamb(PB), Tom Kahle(MDT), Jean Riley (MDT), Lynn Zanto (MDT), Wayne Noem (MDT), Bob Burkhardt (FHWA), Pat Basting (MDT) (Pat called in from Missoula via Teleconference), Jeff Ryan (DEQ), Scott Jackson (USFWS), Glen Phillips (FWP)

Purpose of the Meeting:

The purpose of this meeting was to hold an agency coordination meeting with the resource agencies that have jurisdiction over resources in the Libby North study area. A previous meeting with the U.S. Forest Service (USFS) and Lincoln County was held on Tuesday October 17, 2006. The previous meeting notes are summarized and are available for review. Today's resource meeting provided an opportunity for the project team to explain the study to the agencies and receive input from them regarding issues and concerns of potentially improving the corridor. Input received during the meeting will be used in the development of the improvement options, and used in the Corridor Study Report. The discussion of the meeting is summarized below.

Discussion Items:

INTRODUCTION

The Libby North study is located along Pipe Creek Road, but outside the area being considered in the Western Federal Lands Study¹. The Libby North study area is not located within the Grizzly Bear Habitat Recovery area but is located within the Grizzly Bear Distribution area. The study area is between the Bobtail Cutoff Road and the Turner Mountain Road (MP 6.1- MP 20.1).

¹ The Western Federal Land Study is a planning study performed by the Federal Highway Administration (FHWA) to evaluate improving the forest highway system in northwest Montana. The Thompson River Road and Pipe Creek Road are two projects identified within the Western Federal Lands Study, many other projects throughout the State are proposed. For Pipe Creek, the Western Federal Lands study area started at mile post 17 and then went over the mountain to the Yaak. The Western Federal Lands Study recommended an Environmental Assessment (EA) for their project on Pipe Creek Road.



This is a planning study to help identify corridor issues and define potential improvements to the Pipe Creek Road given the sensitive environmental conditions. The planning study is overseen by FHWA and MDT. The corridor planning process is a result of SAFETEA-LU's and FHWA's intention to better link the planning and NEPA process. Bob Burkhardt provided an explanation and background of this process. Bob explained the planning study is not a NEPA document but instead a process that precedes a NEPA document, if one is needed. The planning study can roll into a NEPA document if and when a project is identified. This can result in a significant savings of time and resources. Savings are achieved because issues are known and options are considered before making a determination of a project. The planning study has a public involvement process and an agency coordination process. This helps to determine needs and issues of the corridor at an early stage. The results of this corridor planning process is a report that documents existing conditions, describes issues to address, and provides recommendations for improvements options.

The following individuals were recommended as other possible resources for this study.

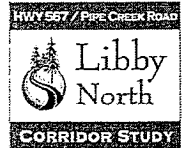
Mike Hinzler- State Fisheries Biologist (406) 293-4161
Bryce Maxwell- Amphibian Specialist Natural Heritage Program (406) 444-3655
Steve Wegner- Forest Service (406) 293-7773
Alan Steinle- Army Corps of Engineers (406) 441-1375
Wayne Kasworm- Grizzly Biologist FWP
Kent Lauden- Wolf Biologist FWP (406) 751-44586
Ann Fenhai- Grizzly Biologist FWP

GRIZZLY BEAR

A primary concern in making improvements to the Pipe Creek corridor is the potential of having impacts to the Grizzly Bears. The population of Grizzly Bears is rapidly declining in the ecosystem, which has been mostly caused by human indirect and direct impacts. Only 30-40 bears are estimated to remain in the entire Cabinet-Yaak ecosystem. Within the last few years a large female grizzly bear was shot in the Pipe Creek drainage.

Grizzly Bears are currently listed as threatened but are likely to be listed as endangered in the near future. The threatened condition of the bears means that bears are protected against "take" anywhere they occur. The legal standard that defines "take" is codified in Section 7 of the Endangered Species Act (ESA). The term "take" can be defined as any direct or indirect impact that is caused by human activity and is shown to result in harm or harassment of the breeding, sheltering, and feeding activities of Grizzly Bears.

A situation or proposal that may lead to a "take" is not always easy to define. Projects that increase traffic or traffic volumes on rural forest service roads and are located in bear territory such as the Thompson River Road EIS are likely to cause a strong argument for a "take" situation. This is because the Thompson River project will change a dirt road into a paved, wider, and significantly improved roadway which in turn can be argued will result in the increase of direct and indirect impacts to bears. Coordination with the US Fish and Wildlife Service (USFWS) is necessary to determine if the proposed project will result in a "no affect" decision or a "jeopardy" decision. The "jeopardy" decision means the proposed project could likely result in a "take" and mitigation measures should be taken. Recommendations from the USFWS should be incorporated into the project to minimize the liability as a result of a potential "take" situation.



A court case relevant to the Pipe Creek study is the Rock Creek Mine lawsuit. The Rock Creek Mine lawsuit involves land that is located in the Cabinet-Yaak ecosystem. The lawsuit focuses on impacts to bears and other protected wildlife. The Court ruled that the grizzly population in the Cabinet Yaak ecosystem is in peril and the USFWS did not use the latest available information when issuing the finding of "no affect" for the mine permit. The litigants argued that the indirect impacts associated with the mine and human activity will deleteriously impact the bear population, a bear population that can not sustain additional loss. The Court agreed and halted the project. In the meantime, the Rock Creek Mine has submitted a \$30 million mitigation package that includes enforcement, education, dedication of bear habitat conservation property, and other items. This could change the outcome of the lawsuit and it could be a potential example for future mitigation possibilities. MDT could possibly participate in the Rock Creek mitigation plan with either a cash or land dedication once the lawsuit is resolved and the details are worked out.

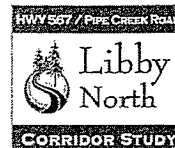
With regards to the Grizzly Bear situation in Pipe Creek, the higher areas of the Pipe Creek drainage are considered home range for Grizzly Bears and the lower areas in the drainage are not frequently visited by bears. The higher areas for home range are roughly from M.P. 17 and over to the Yaak. The lower areas are M.P. 17 and below to M.P. 6.1.

Improvement projects proposed on Pipe Creek Road that are identified for the areas higher in the drainage could have more impact on bears and result in greater likelihood for a "take" than improvement projects proposed in the lower areas of the Pipe Creek drainage. A full reconstruct and widening of Pipe Creek Road is likely to result in a "jeopardy" decision by the USFWS and a decision that a "take" is likely to occur as a result of the project. Roadway striping on Pipe Creek is not likely to be a problem. Spot improvements, depending on the extent and location in the drainage, may not result in a big problem. To receive the best input and direction from USFWS, the improvement options were recommended to be grouped together. The group of improvements will be evaluated with respect to the indirect and direct impacts to bears.

In making a determination of "no effect" or "jeopardy", the USFWS will evaluate all the options and will see if grizzly bear loss is likely to occur due to the project. This could include traffic volumes, vehicle speed, and widening in areas that are sensitive to bears. The process is not black and white but rather it involves significant discretionary and professional judgment.

CONSERVATION BANKING AND WILDLIFE CREDITING

A discussion was also held about conservation banking and wildlife crediting. This has come up on other projects before but a detailed, official policy has not been determined by USFWS. The USFWS has looked at trying to give a dollar figure to wildlife or habitat to help with mitigation but has not been successful. The question was raised about conservation banking for Grizzly Bears. One obstacle to conservation banking for bears is the Court's decree that the Cabinet-Yaak ecosystem is under a "no take" decree. Additional "takes" could jeopardize the viability of the bear population. The other obstacle is the difficult process necessary set up the bank. It is difficult to assign a dollar amount to a bear that is going extinct and significant coordination with other resource agencies would be required. In support of mitigation banking is the current Rock Creek mitigation proposal. This may help better define future mitigation strategies. Examples of mitigation projects in other states, such as the Prairie Dogs in Utah, were discussed to provide background to possible scenarios that could be used.



BULL TROUT

Critical habitat for the bull trout was designated for Pipe Creek over the last year. This means that Pipe Creek and live tributaries are protected against impacts that negatively impact the spawning or mortality of bull trout (See USFS comments from October 17 meeting). Critical habitat regulations also apply to private property. USFS property is exempt from critical bull trout habitat requirements. The East Fork of Pipe Creek was indicated as the most important tributary of the five or six other tributaries. It was also recommended that the number of stream crossings need to be identified as part of this study. One bridge and two bottomless culverts are thought to be located along the corridor.

LYNX

The Pipe Creek drainage is known habitat for lynx. Lynx are rarely seen but are known to be in the area. Impacts to lynx would need to be evaluated for any improvement proposal. A recommendation was made to check with the USFS for lynx population data.

WOLF

The Cabinet-Yaak mountains and Pipe Creek area are known habitat for wolves. The wolf population is on the increase and the population is thriving. Impacts to wolves need to be studied as part of any improvement project. Contact should be made with the USFS wolf biologist for additional information regarding habitat and impacts.

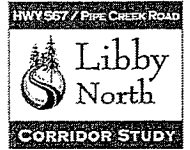
WATER QUALITY

Pipe Creek is not a 303 D listed stream and is therefore in good water quality condition. The biggest concern about water quality in Pipe Creek is the use of Magnesium Chloride applications for snow melting on Pipe Creek Road. Magnesium Chloride should not be used. Snow that is removed from the roadway should not be pushed or blown into the creek. The Department of Environmental Quality (DEQ) recommends the use of MDT's Draft Winter Maintenance Guidelines for the roadway. A contact for information on the guidelines is Don Williams. DEQ recommends the following:

- Bridges should not allow sanding material drop through the deck and go directly into the creek.
- Use curb and gutter on the bridges to channel runoff away from the bridge and creek.
- The removal of an excessive number of trees adjacent to the stream could potentially increase the water temperature in Pipe Creek.
- Move Pipe Creek Road away from the creek to avoid roadway runoff and sediments entering the creek.
- Use design features on the roadway that will capture runoff and sediment and prevent it from directly entering the creek.
- Minimize riparian loss and stabilize side slopes.
- Avoid disturbing existing stream bank stabilizations.

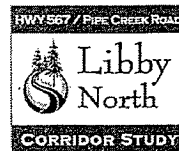
OTHER COMMENTS

Pat Basting indicated that he will send a report titled "Interagency Grizzly Bear Committee Report." This report will provide additional background into the concerns with grizzly bears. Also it was recommended that one of the improvement options that should be studied is an option to make the road less desirable to drive. This might include slower design speeds, etc.



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We discussed the possibility of having another meeting in January to discuss the preliminary findings of this study. Those in attendance seemed to support this idea. PB will follow up with MDT on this.



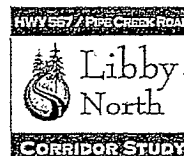
Attachments

Agenda
Handouts
Sign-in Sheet



Montana Department of Transportation

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Agency Coordination Meeting
Thursday, October 19th 2006
AGENDA

Thursday, October 19th, 2006: 11:00a.m. to 1:30 p.m.
MDT Transportation Planning Building – Helena: 2550 Prospect Ave.
Conference Room A
Lunch will be provided

- 11:00 a.m. I. Welcome, Introductions and Opening Remarks (Jean Riley)
- ☐ Tom Kahle, MDT Project Manager
 - ☐ Lynn Zanto, MDT Statewide and Urban Planning Supervisor
 - ☐ Jean Riley, MDT Environmental
 - ☐ Bob Burkhardt, FHWA
 - ☐ Ron Clegg, PB – Consultant Project Manager
 - ☐ Stewart Lamb, PB – Consultant
 - ☐ Agency representatives

Purpose of the meeting (Ron Clegg)

- Introduce the Libby North Corridor Study process, steps, schedule and roles of the agencies, consultant team and MDT.
- Discuss existing conditions
- Identify agency concerns and issues.
- Discuss Conservation Banking and Wildlife Impacts Credits.
- Discuss GIS data.
- Identify next steps in the study.

- II. Linking the Transportation Planning and NEPA process (Bob Burkhardt)
- ☐ Discussion of process, outcomes and agency participation

- III. Overview of the Planning Area and Process (Ron Clegg)
- ☐ Project background and development
 - ☐ The planning area, corridor plan process and schedule
 - ☐ Primary goal of the process: To identify roadway deficiencies and define improvements to meet the needs of the corridor.

- IV. Roles and Responsibilities (Ron Clegg)
- ☐ Agencies
 - ☐ MDT / FHWA
 - ☐ Consultant team
 - ☐ Stakeholders

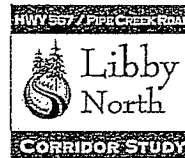
- V. Public Involvement Plan (Ron Clegg)
- ☐ Plan highlights
 - ☐ Approximate schedule of events

- 11:30 a.m. VI. Existing Conditions – Highlights (Ron Clegg)
- ☐ Roadway deficiencies
 - ☐ Existing environmental resources



Montana Department of Transportation

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- ☐ Results from Public Information Meeting

12:00 p.m. VII. Lunch

- 12:15 p.m. VIII. Resource Agency Issues (Ron Clegg)
- ☐ Issues and concerns – what we've heard
 - ☐ Summary from Forest Service meeting
 - ☐ Additions from agencies – discussion and maps

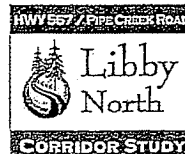
- 12:45 p.m. VIV. Transportation Conservation Banking/ Wildlife Impacts Crediting (Stewart Lamb)
- ☐ Quick Overview of Why?- SAFETEA-LU
 - ☐ Examples of wildlife banking in Colorado, Utah and California.
 - ☐ Potential for wildlife impacts mitigation in Montana. Thoughts and concerns?

- 1:15 p.m. X. GIS and Metadata (Stewart Lamb)
- ☐ What is Metadata and how is it associated with GIS files.
 - ☐ Where does the data come from, accuracy?
 - ☐ Approval guidelines for GIS file creation and Metadata.

- 1:30 p.m. XI. Next Steps (Ron Clegg)
- ☐ Prepare Public Information Meeting Technical Memorandum
 - ☐ Prepare agency meeting notes and distribute
 - ☐ Prepare Goals and Objectives Technical Memorandum
 - ☐ Complete stakeholder interviews
 - ☐ Complete existing conditions tech memo & GIS data gathering
 - ☐ Complete wildlife habitat linkage zone analysis
 - ☐ Complete wildlife enhancement credit system investigation



Montana Department of Transportation



Existing Conditions and Potential Improvements

October 19, 2006

Issues

Safety

- Slide offs in the winter
- Drop offs

Emergency vehicle access to/from Yaak

Growth

Trees up against the road – visual and sunlight for drying road

Recreational use – skiers, snowmobiles, bicyclists

Roadway Deficiencies

Substandard horizontal curves

Roadway is narrow

No paint striping to delineate travel lanes

Snow storage reduces the travel way in the winter to one lane at times

Rock falls

Substandard clear zones (Pipe Creek on west side of road)

Deteriorating guard rail

Poor pavement condition

Poor sight distance

Environmental Issues

Cabinet-Yaak Grizzly Bear distribution area

Cabinet-Yaak Grizzly Bear habitat recovery zone

Bull trout conservation area (spawning in Pipe Creek and tributaries)

Lynx

Wolf

Plants

Others?

Potential Improvements

Paint striping

Signing

Tree removal

Guardrail installation

Pavement overlay

Snow removal technologies

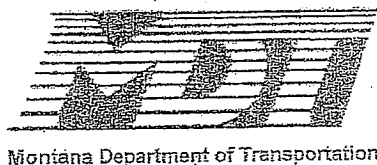
Snow storage areas

Rock walls

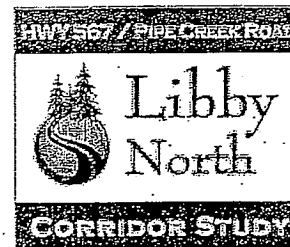
Spot safety improvements

Roadway widening in areas

Full roadway reconstruction



FAQs



Frequently Asked Questions:

1. What is the purpose of this Corridor Planning Study?

The purpose of this study is to evaluate the existing conditions and determine if transportation improvements are needed to HWY 567/Pipe Creek Road. The planning process will consider the needs of local residents in Libby, Yaak, along with property owners in the area and the traveling public. Part of the planning process entails an assessment of the environmental surroundings of this road as well as the current condition, use and function, current and projected future traffic volumes, speed, wildlife crossings, and user safety. These findings will help determine any roadway deficiencies and guide the identification of any corridor improvements. The study will evaluate and recommend improvements if any are found to be needed and feasible.

2. What is the study area? (see map)

The study area encompasses the Hwy 567 between Bobtail Cutoff road and Turner Mountain Road, approximately mile post 6.1 to 20.1. This road is a primary access between Libby and Yaak.

3. How are community leaders and agencies involved in the study?

The planning process will be collaborative, involving area elected officials, resource agency representatives, special interest groups, user groups and landowners to ensure local perspectives are represented.

4. Who is the project management team?

The Montana Department of Transportation is the agency lead for this study. Parsons Brinckerhoff (PB), a national consulting firm with several regional offices, will lead a team of consultants to complete the study in the summer of 2007.

5. How will the results of the study be used?

The results of the study will be used to guide MDT and other local entities in planning improvements for HWY 567/Pipe Creek Road. Study recommendations may be integrated into MDT's and other local affected planning agencies transportation plans and programs based on funding availability. The results of the study will also provide information to support efforts to identify funding for future projects.

MDT and the project team will collect and consider all public comments received to better understand the public view of potential issues. MDT will then determine the next steps that best meets the study purpose and has the support of cooperating organizations, regulatory agencies, stakeholders, and the general public.

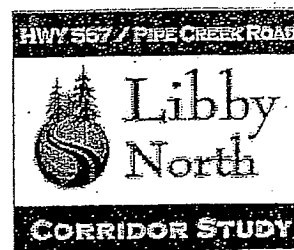
6. Who makes the decisions regarding the study?

The project team consists of individuals representing MDT, PB, and other consultants. Community input, traffic, engineering, environmental, economic information will be analyzed by the project team and recommendations will be formulated. MDT will subsequently make the final decision regarding recommended improvements based on available funding.



Montana Department of Transportation

FAQs



7. How can the public/community contribute to the study?

The General Public is invited to participate in the process through public information meetings (see schedule below) and ongoing project information review and input. A project web site has been developed to provide on-line opportunities to comment on issues of HWY 567/Pipe Creek Road. Dates, times, and locations will be announced prior to the events through the local media and the project web site:
<http://www.mdt.mt.gov>

Schedule:

Step 1: Identify Issues	June-August 2006
Step 2: Collect environmental, roadway, adjacent property data and analyze information. Conduct a field review to understand existing conditions.	August-October 2006
Public Informational Meeting: at the Ponderosa Room, City Hall, 952 E. Spruce Street, Libby. The presentation will begin at 6:30 p.m. with questions and comments to follow until 8 p.m.	October 17, 2006
Agency Coordination Meeting	October 19, 2006
Step 3: Draft existing conditions report based on data collected, agency and stakeholder input.	October-November 2006
Step 4: Identify potential improvement options.	November 2006-January 2007
Step 5: Draft Corridor Study Report (CSR);	February 2007
Public Information Meeting –to review CSR	March 2007
Step 6: Final CSR	April 2007

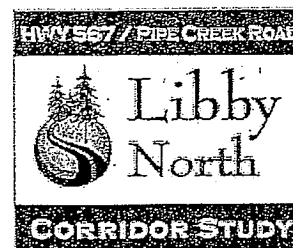
Those with a specific interest in the project are encouraged to join the project mailing list. They can do so by submitting their name and contact information to Tom Kahle at the address or e-mail shown below, calling the recorded comment line at (800) 714-7296, or completing the comment form available on the web site.

To keep the public informed about the study, project information is being published on this web site, in local media venues, and in newsletters. The public may also provide input or questions by contacting:



Montana Department of Transportation

FAQs



Tom Kahle, MDT Project Manager
Montana Department of Transportation
P.O. Box 201001
Helena, MT 59620-1001
406.444.9211 / tkahle@mt.gov

Ron Clegg, Consultant Project Manager
Parsons Brinckerhoff
488 E. Winchester, Suite 400
Murray, UT 84107
801.288.3228 / clegg@pbworld.com

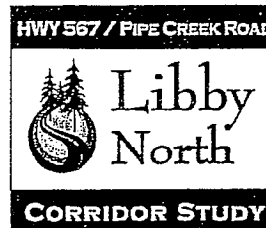
Annell Fillinger, Public Involvement
AM Tech Services
5532 Eldorado Court
Helena, MT 59602
406-458-9065 / amtech@bresnan.net

MDT Recorded Comment Line; (800) 714-7296



Montana Department of Transportation

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Corridor Planning Study Information

Newsletter

September 25, 2006

- MDT's study will examine roadway deficiencies, design issues, financial feasibility, environmental issues, and capacity needs.
- Planning will prioritize the protection of environmental resources. Environmental resources unique to the project area include the following:
 - o Grizzly Bear habitat conservation area.
 - o Bull trout conservation area.
 - o Lynx, wolf, native plants preservation area.

Schedule:

Step 1: Identify Issues; June-Aug. 2006

Step 2: Collect existing data and conduct a field review; Aug-Oct. 2006

Public Information Meeting Oct. 17

Step 3: Draft existing conditions report; Oct.-Nov 2006

Step 4: Identify potential improvement options; Nov-Jan 2007

Step 5: Draft Corridor Study Report (CSR); Feb. 2007

Public Information Meeting –to review CSR; Mar. 2007

Step 6: Final CSR; Apr 2007

We want to hear from you any:

- Issues, concerns and questions... you may have about this roadway

Key Contacts

Tom Kahle- MDT Project Manager
Phone (406)- 444-9211
Email- tkahle@mt.gov

Ron Clegg- PB Project Manager
Phone (801) 288-3228
Email- clegg@pbworld.com

Annell Fillinger – Community Outreach
Phone (406) 458-9065
Email- amtech@bresnan.net

Web site: <http://www.mdt.mt.gov>

What is the purpose of this Corridor Planning Study?

The purpose of this study is to evaluate the existing conditions and determine if transportation improvements are needed to HWY 567 also known as Pipe Creek Road. The planning process will consider the needs of local residents in Libby, Yaak, along with property owners in the area and the traveling public. Part of the planning process entails an assessment of the sensitive environmental surroundings of this road as well as user safety, current condition, use and function, wildlife crossings, current and future traffic volumes, and speed. These findings will help determine any roadway deficiencies and guide the identification of any corridor improvements. This study will evaluate and recommend improvements if any are found to be needed.

What is the study area? (see map on the second page)

The study area encompasses the Hwy 567 between Bobtail Cutoff road and Turner Mountain Road, approximately mile post 6.1 to 20.1. This road is a primary access between Libby and Yaak.

How can the public/community contribute to the study?

The General Public is invited to participate in the process through public information meetings (see schedule to the left and below) and ongoing project information review and input. A project web site has been developed to provide on-line opportunities to comment on issues of HWY 567. Dates, times, and locations will be announced prior to the events through the local media and the project web site: <http://www.mdt.mt.gov>.

Those with a specific interest in the project are encouraged to join the project mailing list. They can do so by submitting their name and contact information to Tom Kahle at the address or email shown, calling the recorded comment line at (800) 714-7296, or completing the comment form available on the web site.


To keep the public informed about the study, project information is being published on the project web site, in local media venues, and in newsletters like this. The public may also provide input or questions by contacting any of the **Key Contacts** in the column to the left.

A public information meeting will be held **Tuesday, October 17, 2006** in the Ponderosa Room at the City Hall, 952 E. Spruce Street, Libby. The presentation will begin at 6:30 p.m. with questions and comments to follow until 8 p.m.

In compliance with the Americans with Disabilities Act, this meeting location is accessible to disabled persons. For more information or for those who require accommodations for disabilities please call Annell Fillinger at 406-458-9065.


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HWY 567 / PIPE CREEK ROAD

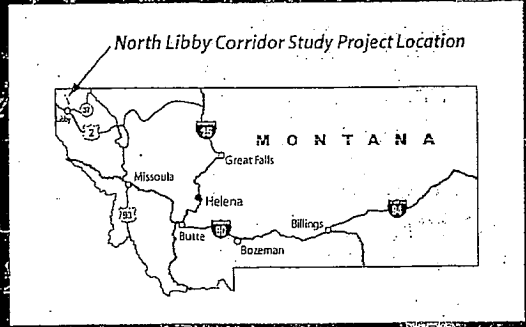


Libby North

CORRIDOR STUDY

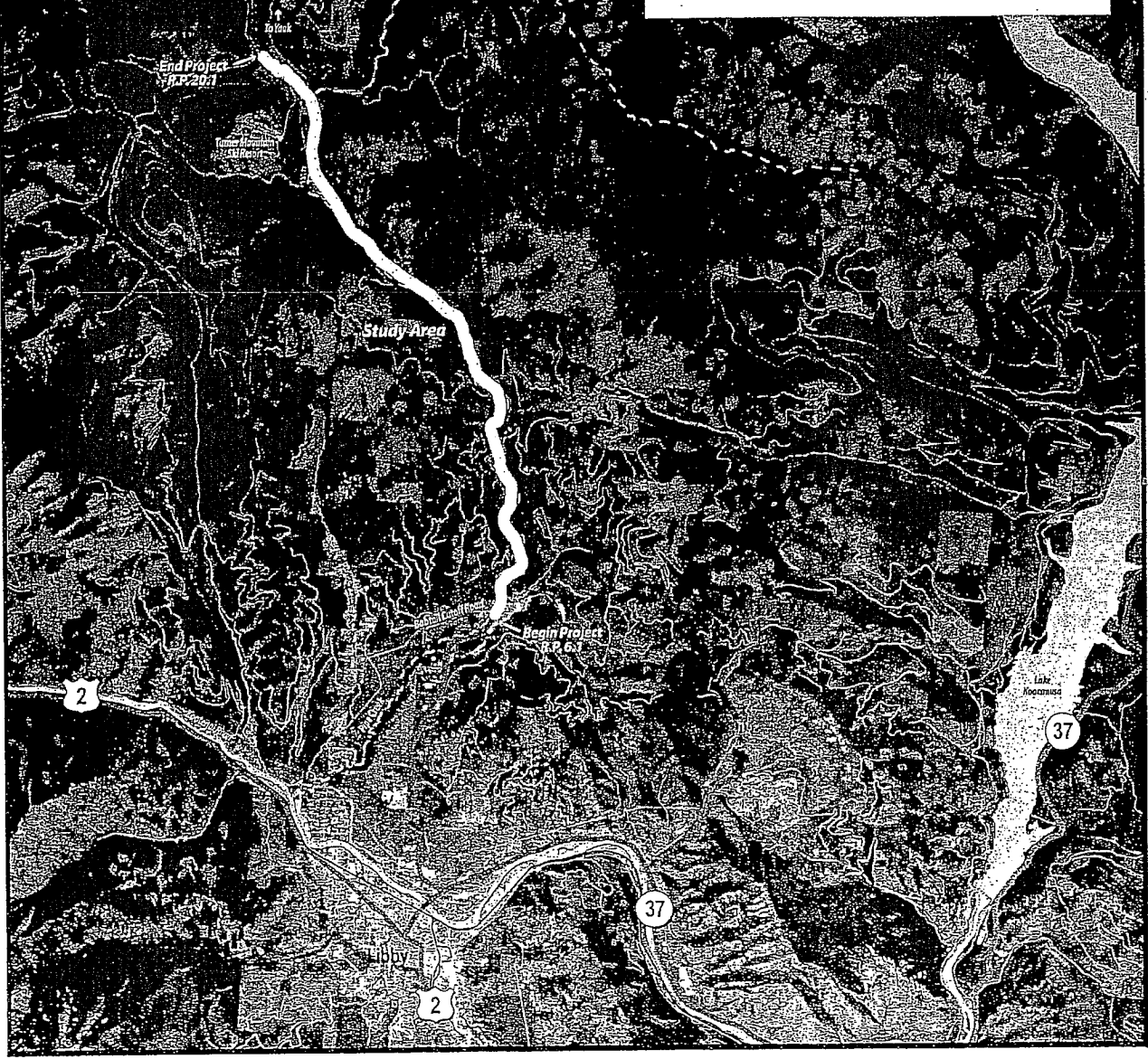


Montana Department of Transportation



Project Location Map

DRAFT / August 24, 2006
Not To Scale



Libby North Corridor Study

10-19-06

Name	Representing	Phone	Email
Ron Clegg	PB	801-288-3228	clegg@pbworld.com
Stewart Lamb	PB	801-288-3233	lamb@pbworld.com
JEFF RYAN	DEQ	(406) 444-4626	JERYAN@MT.GOV
SCOTT JACKSON	USEWS	(406) 449-5225 x201	scott-jackson@fws.gov
Jean Riley	MDT	(406) 444-9456	jriley@mt.gov
BOB BURKHARDT	FLMWA	406-449-5308	bob.burkhardt@flmwa.org
TOM KAHLE	MDT	406-444-9211	TRAHLE@MT.GOV
WAYNE NOEM	MDT	406-444-6109	WNOEM@MT.GOV
Lynn Zanto	MDT	406-444-3445	IZANTO@mt.gov
Pat Basting	MDT-MSA	Via teleconference	
Steve Phillips	KOP	406 444-5334	sp@mt.gov



Libby North Corridor Study

Public Information Meeting Technical Memorandum

October 17th, 2006

SUBJECT: Public Information Meeting Technical Memorandum

TO: Montana Department of Transportation

FROM: Parsons Brinckerhoff (PB)

Authors: Pam Murray (PB), Ron Clegg (PB), Stewart Lamb (PB)

Goals of the Public Information Meeting

- To inform the public of the study and to explain how their input is needed to identify issues along the corridor.
- To obtain a better understanding of the roadway users, local interest of the road, and future needs of the corridor.
- To discuss potential improvements for the roadway.
- To provide education about corridor planning in general and specifically how it applies to this study.

Meeting Description & Context

Lincoln County requested the public meetings be a formal presentation given by the project team. The County also recommended that a question and answer period be allowed to generate public participation and a informal open house setting could follow the question and answer period. The October 17th meeting followed the recommendations of Lincoln County. A PowerPoint presentation was provided by PB with additional comments provided by MDT staff. A question and answer session followed the formal PowerPoint presentation. Then the public was invited to provide written comments on comment cards or write directly on aerial maps of the study corridor. This was the first public information meeting related to the Libby North Corridor Study. There were 23 people signed in and 5 written comments were received at the meeting. Some attendees indicated that they would mail their comment cards later.

Meeting Location: The meeting was held October 17 from 6 p.m. to 8 p.m. at Libby City Hall in the Ponderosa Room, 952 E. Spruce Street.

Audience: Those in attendance included property owners along the corridor, business owners, residents of Libby, and representatives from special interest groups. Copies of the sign-in sheets are included in the appendix as part of these meeting notes.



Public Notification:

Letters were sent to property owners two weeks before the meeting. Additional notification was put out by MDT's PI office in a state-wide press release, notification was posted on the study website, and paid advertising was put in the Montanian and The Western News:

The Montanian is published once a week on Wednesdays: 2 ads ran –Wed. Sept 20, and Wed. Oct 11.

The Western News – is published on Wednesdays and Fridays: 3 ads ran –Wed. Sept 27, Wed. Oct 4, and Fri. Oct 13. A copy of the approved ad is in the appendix.

NOTE: A local reporter misrepresented the starting time in an article they wrote about the upcoming meeting. Consequently, two attendees came to meeting before the actual start time. The reporter based her information on the press release but posted the time as one hour earlier. This article is in the appendix.

Meeting Format:

A thirty minute formal PowerPoint presentation was given by Ron Clegg (PB) with assistance from Shane Stack, Lynn Zanto, and Jean Riley, all of MDT. Shane opened the meeting and provided background to the project. A copy of the PowerPoint presentation is included in the appendix. The PowerPoint served as a guide for discussion, to provide information, and to stimulate public participation. The public provided comments and participated in the discussion. Following the presentation Ron opened the meeting to questions. A summary of the questions and answers is below. The public was then invited to tables with the aerial maps and asked to write comments directly on the maps. Project staff was available to answer questions and assist with writing comments.

Handouts Include:

The handouts provided to the public at the meeting include the newsletter, a study area map, the list of Frequently Asked Questions (FAQ) and comment forms.

Project Team attendees at the Meeting: Shane Stack (MDT), Lynn Zanto (MDT), Jean Riley (MDT), Tom Kahle (MDT). Ron Clegg (PB), Stewart Lamb (PB), and Pam Murray (PB).

Meeting Summary

23 people signed in and attended the meeting. Approximately 5 corridor property owners attended with 15 other Libby residents. The other 3 attendees were from Lincoln County and the Forest Service. A total of 5 written comment forms were turned in at the meeting. Copies of the sign in sheet and power-point presentation are in the appendix.

Shane Stack (MDT) opened the meeting and provided a background to the history of HWY 567 Pipe Creek Road study. This need for improvement was first identified by Lincoln County through the County's secondary roads nomination process. This nomination process is how local governments make MDT aware of their priorities for local transportation improvements. Originally, the Pipe Creek Road study of 2002 was proposed as a major project which anticipated widening and reconstruction. The project proceeded forward in this direction and survey work and initial environmental analysis was initiated. The project area that was considered for this original major project was from the Bobtail Cutoff Road, MP 6.1, to Loon Lake Road, MP 17.

During implementation of the major project on Pipe Creek, a Court's ruling of a lawsuit regarding the Silver Creek Mine in the Cabinet-Yaak area brought the Pipe Creek project to a stop. The reason for this is because the Court's ruling indicated no additional loss of grizzly bears can be handled in the Cabinet-Yaak ecosystem without placing the future existence of the grizzly bears in jeopardy. Transportation projects shown to increase direct and indirect impacts to grizzly bears that could result in a grizzly loss have the potential to create a significant liability for the permitting agency. MDT evaluated the ruling and its impacts on Pipe Creek and decided not to proceed with the project as originally planned, but instead to step back and propose a planning study that would first identify the environmental, engineering and safety issues to determine if a project is feasible for the corridor. The result of the step back is the current planning study, which is a good approach because this process includes meeting with the public, identifying issues and thoroughly identifying the significant environmental constraints.

Shane provided a background into the current funding situation for Pipe Creek Road. He indicated that costs to do an EIS are increasing as well as construction costs but the pool the funding is not increasing to keep up with these costs. Total reconstruction of the roadway is very costly given the geotechnical issues, stream crossing, and widening the road to 26 feet would require additional right of way. The environmental issues associated with a full reconstruct would be very significant.

The corridor planning process was explained and discussed. Lynn provided insight on MDT's approach to corridor planning for this study. Lynn indicated that the planning process is useful in this situation since the original project was deemed to be too costly and impactful and MDT wanted to look closely at the corridor to identify the problems and see what could possibly be done.

Jean provided input regarding the grizzly bear recovery zone. She indicated that the study is in the distribution area but outside the recovery zone. The recovery zone is important because of regulations governing the impacts to grizzly bears and habitat. The Silver Creek lawsuit also has heightened the awareness of the recovery zone. Jean indicated the grizzly recovery zone boundary on the map needs to be updated to the current Forest Service maps.

Ron told the audience that this public meeting is the first of two public meetings. The second public meeting will be held in March 2007. The purpose of the second meeting will be to present the study findings and facilitate discussion on the potential improvement options identified for the corridor.

Summary of Questions and Answers

The following is a summary of the questions and answers discussion that followed the formal presentation.

Questions asked by the Public:

- ✧ Why study just a 14-mile segment of the roadway?

Shane indicated the project limits were defined in this way because the road can be more fully improved to mile post 6.1. North of 20.1 is the grizzly bear recovery area, which because of the Silver Creek Mine lawsuit, transportation improvements will be difficult to achieve. It was indicated to the public that Western Federal lands has a project north of our corridor and the project is currently on hold until the outcomes of the corridor plan are finalized.

- H What roadway design standards are required to be met? Can they be met on this road? Are there allowable exceptions? Can spot improvements be done?

Shane discussed the federal requirements for roadway widening and improvements. He stated the widening standards would be a 12 foot road with 2 foot shoulders and a 4/1 slope for cuts and fills. A number of curves on the roadway do not meet federal requirements for sight distances and therefore they would need to be brought into conformance. Improvement projects would need to comply with federal environmental standards for protection of endangered species, which would require significant coordination with the Fish & Wildlife Service for bull trout, grizzlies, and other protected wildlife.

Shane said the environmental constraints of the corridor are significant. A meeting will be held on October 19th with the regulatory agencies to determine the extent of the constraints. He indicated it would be a difficult and very costly task to fully reconstruct the corridor.

Shane also talked about design exceptions because the public wanted to know if spot improvements could be done without having to bring the entire road up to standard. The public gave the example of the patch and seal project that the Forest Service did a few years ago. They said that project was a success and that it helped significantly. The public wanted to know if other similar things could be done. Their greatest concern is safety and if safety can be improved by spot improvements then maybe that is the best improvement project they can hope for given the high cost and environmental constraints.

Shane indicated that design exceptions can be considered for the corridor. The process is somewhat cumbersome and a good justification will be required.

- H In this planning process, will alternatives be identified? Will they be based on cost, environmental issues, safety issues, and maintenance options?

Because this is a planning study we can look at all the potential improvement options that meet the needs of the corridor. We are at the point of identifying the issues and concerns and doing preliminary engineering and environmental analysis.

- H Will this study address the whole road or just issues?

This study addresses the issues and concerns that are identified in the study area. Recommendations will be made as a result of the study. Potential improvements will be considered if they are both feasible and warranted for the study area.

- H What are the costs of making improvements?

Shane indicated a ballpark cost of 25 to 35 million dollars for a full rebuild effort. The costs to do these projects are continuing to increase while the available funds are not increasing. Money for this project is made available on a competitive basis.

- H If you use State only dollars, then what?

It is difficult to obtain funds purely from the State. The problem is the lack of funds at the State level and the large number of projects that compete for those funds. If somehow State funds were obtained for the project and spot improvements were the recommended course of action, we would still be required to make improvements in accordance with MEPA which is similar to NEPA environmental federal standards.

- ⌘ If a total reconstruct is so expensive are there enough funds for the project?
No funds are currently available for the full rebuild project. It might be easier to obtain funds for spot improvements that are not as expensive to construct. We will not lower the design speeds just to get something done.
- ⌘ If the full reconstruct is too costly now then what can be done in the future?
This is what the corridor planning study is trying to accomplish. Hopefully, we can identify a few options that are cost effective and address the needs of the corridor. The goal of this project is to choose and spend wisely.
- ⌘ After this feasibility study is completed done, then what?
It will probably take 5 to 7 years from now for the planning, environmental work and then construction can begin. The environmental document will take time, right of way acquisitions also take time. However, some short term improvements can happen as a result of this study that can help.

Issues and Comments by the Public

The following issues were identified as a result of the public meeting, from comment cards, and from comments written on the aerial maps

- Pipe Creek road is the most direct access for emergency services to the Yaak.
- A few issues were raised by a commercial trucker who uses the road daily and all year round:
 - The roadway safety is the most important concern. Winter travel is the most dangerous time to travel. The road in many areas is not wide enough. The roadway curves are dangerous. As a commercial driver, poor roadbed issues are hard on the equipment. There have been a number of close mishaps with other motorists. Increase in population is a concern for capacity on such a small roadway. If the road is only improved to Turner Mountain then the roadway north of there will be more of a hazard because it will continue to deteriorate. The road violated driver expectation in many areas. The road is "Not a good thing the way it is."
- If nothing is done the pavement in 5 years will be worse (very poor).
- The road has no center line to separate traffic. Most people drive in the middle of the road and oncoming traffic poses a danger as it drifts into existing traffic.
- There are a number of blind corners.
- In the winter time, the snow plow only plows one lane and it is very dangerous to have only one lane open with oncoming traffic. This is becoming a bigger problem all the time since the interest in the ski resort is growing.
- Snow storage and the removal of snow is an issue for the corridor.
- Recreational traffic to access the forest lands is increasing roadway traffic.



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- The aesthetics of roadway improvements is a concern.
- Recent overlay by the Forest Service was a big improvement.
- Heavy water build up on spring just south of East Fork Pipe Creek
- If MDT waits too long to do anything on Pipe Creek the costs would be so high that projects could become unfeasible.
- Most people use the whole road because there is no center line.
- Issues identified near MP19-20
 - Need new guard rail
 - The roadway is narrow through this section
 - There are a number of short sight distances around curves.
 - The road often ices over in the shady spots
- Issues identified near MP 16
 - A narrow road with poor visibility and a blind hump.
- Issues identified near MP 13
 - A number of deer hits occurred in this area.
- Issues identified near MP 12-11
 - The roadway needs a wider clearing.
 - Current construction traffic is a problem in this area.
- Issues identified near MP 11
 - This area is known to have problems with rock fall.
- Issues identified near MP 9.5
 - This road is difficult to drive because the road leans away from curve.

• **Recommended Improvements by the Public**

- The public indicated that striping the roadway would be a significant help to improving driving safety on the roadway.
- Use minimal standards and design exceptions to mitigate for potential impacts at various spot locations.
- A recommendation was made to clear the corridor by removing brush, trees that are located too close to the roadway.
- Do something to address the shady areas near MP 19-20 that allow icy conditions to occur on roadway.
- Roadway pavement and surface improvements needed throughout the corridor. The public liked what the Forest Service did in improving the road.
- Maintain top speed of roadway between 45mph and 55 mph.
- Improve snow removal and storage by allowing more than one lane to be open during the winter.
- Improve dangerous curves by improving sight distances.
- Improve the general safety of the corridor.
- New methods to remove snow like a snow-blower may work better than a plow.
- Parking is recommended for snowmobiles at the East Fork Pipe Creek.



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- The current alignment is good.
- A band-aid approach to roadway improvements may be good enough for the corridor.
- The winter roadway maintenance, sanding, and plowing is getting better in the last few years but the County needs more money to make it safe.
- Improve the roadway area near the resort first. The area gets lots of winter use for autos and snowmobiles.

APPENDIX

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SUMMARY OF STAKEHOLDER INTERVIEWS

Questions for Libby North Study Area Stakeholders	Sub-Category -- E = Environment; C = Community; B = Business	How often do you travel on Pipe Creek Road (reference post 6.1- 20.1) between Libby and Yaak?	What is the primary purpose for your travel on this road (i.e. recreation, work, shopping, etc.)?	What do you see as the biggest obstacle to traveling Pipe Creek Road?	Do you have specific safety concerns associated with traveling this roadway?	What is your experience with traffic on this road?	Do the seasons affect your use of this road? If yes, please explain.	How often do you encounter (or see) wildlife while traveling this road?	Please describe locations, species and condition of wildlife.	Are you aware of any proposed development in the area?	Any other specific issues or concerns with Pipe Creek Road?	Can you provide us with any specific data or information to help support the information you have given to us?
Bruce Zwang, Turner Mtn Resort	B	At least weekly winter -- 4x/week spring-fall -- 1x/week	Operate the ski area at Turner Mountain	Narrowness of road/dangerous corners	Condition of existing asphalt/width of road/certain corners	Certain times have heavy traffic/open & close times have heavy traffic/road conditions can be tough to pass other cars/sometimes people end up in the ditch/vehicles get too close to roadway to pass	Definitely/county is responsive to plow in past 5 yrs/Only a grader/sand it/ Resort folks also plow	Regularly see white tail deer/Occasionally see moose & black bear/No specific location to cross/No sights of wolves or lynx	See previous answer.	No/Subdivision activity near MP 17	No	No specifics about accidents running off of the road
Bill Patten, St. John's Lutheran Hospital	B	Once a month going to Red Dog/Year round for friends & agriculture	Pleasure	Currently/maintenance, repair and width of road	Not for myself/Professionally for ambulance depending on the time of year/Snowmobilers on the road/No edge to roadway/Limited visibility on turns	Not much of an issue/People are courteous and pull over due to width of road/No really good places to pull over	I travel it more in Spring and Fall/No active skiers	See deer all over, but not on the road	Do not know specifics/Individual home sites from Red Dog in		If the state is looking for rehab for the road (potholes & surface) they should include developed essential services	Road should be upgraded and widened for emergency services/Contact Dr. Gary Harding, Dr. Kneller and Dr. Jay Maloney at main hospital number for details on ambulance service record in this area.
Jay Ramlo, Property Owner	C & E	20 times a year -- moved to Helena	Recreation -- plan to live up there in the future	Poor sight distance	Yes -- sight distance -- I can't see my property approach at MP 13. There is a small stream with the new pipe it raised the grade of road, 100 feet from driveway. Now I have to be extra careful to see approaching motorists.	Traffic is restricted. Lower speed due to snowmobile traffic in winter. It is a narrow road.Traffic increases significantly from Libby to ski hill on weekends.	75% of the time	Small game:mountain grouse & turkey. Deer, moose and elk in winter. Occasional black bear & grizzly bear.	No, it is limited/Only 3>150 are homesteads/Property value has increased/Not much private land	No, but process/In 1999 the ball was dropped on the last project and you can't get info/Shane's Secondary Standards quote shaved me/they were not prepared	Get road fixed -- he and his neighbors agree. Environment issues - preserve bull trout mitigate possibilities. The bear issue is overblown and MDT is over cautious.He wants to do a conservation easement with his property.	
Ron Higgins, Lincoln County School Superintendent	B	Once a month. I usually use Hwy 2 which is 13 miles north, I use it for safety & it is faster.	Work related & own property -- 50%	#1 -- SAFETY	20 mile an hour turns, traffic. One lane road in some areas. Not many safe places to meet on coming traffic.	It is hard on blind corners. People use the center of the road as it is so narrow. There are no guardrails and steep banks.	Yes -- I won't travel it in winter due to roadway conditions.	Often.	Deer, moose, bobcat kittens (once), black bear, I've not seen a grizzly. Not many dead animals.	No, so little private ground available	Needs to be rebuilt. Quite a few families live near Bobtail and students go to Libby. About 25 homes are year round/Coon Lake.	Bus stop at Bobtail turn off/Libby School District has routes -- 406-293-8811 -- Kirby Maki
Jerry Wolcot, Plum Creek Timberland	B	Business is Timber Mgmt/Hauling, 2-10 loads of logs per day, 400-700 loads annually. Log trucks are 28 tons per load and 60 feet long.	Log hauling. Woods area by Pipe Creek to Hwy 37 then Hwy 2 or to Eureka	The narrow roadway. No shoulders. Inadequate base and surface material. Sharp curves (in this order). 16 foot road with shoulders could work.	Just the narrow road and inclement weather.	Generally, people drive prudently, but some drive too fast.	No specific pattern. Summer and Fall mostly used. Most people who live there are aware of truck traffic on the road.	Every trip.	Primarily deer, elk, bear, mountain lions, squirrels. Private contractors do not track animal hits.	Nothing specific. 80 acres + 160 acres potential land sale parcels down low. No specific development plans. MP 16, 18 has some development.	No	Excel file -- loads per quarter for 2004, 2005 and 2006. Contact him if we want this information.
Scott Erickson, Rosauers Grocery	B	Personally more during hunting/ski season. Two times per month. Customers go this way. Employees live near Red Dog.	Recreation and wood gathering.	In my experience, narrow and curvy, it winds. Lack of parking above Bobtail. Ice build up.	Ice buildup. Narrow. Sharp curves.	Always encounter some other motorists. People cut curves. People drive down center of roadway.	Yes, go to ski but it is the worst time for roadway conditions.	Almost every time.	Deer, bobcat, birds, grause, elk, black bear, coyote. Some deer killed at side of road near MP 16, Lodgepole, prior to Lion Lake Road.	I have seen property for sale. Pipe Creek to Mill Creek. Several acres available; just before Lion Lake. Family cabin up there.	Beginning four years ago the plowing was much improved in winter. Old road grades. To plow up and over to Yaak there are too few people. But they would shop in Libby more frequently if road were plowed.	Cherokee Flats folks go to Libby to shop. Lots of money in Yaak -- they want to be private
Bill Martin, Cabinet Resource Group	E	Not a regular user but has used this roadway frequently in the past.	Direct route to Yaak to Libby. Lives at Lake Creek near Troy. Used to work in forest and worked as a contractor for forest service. Last winter was the last time. Does not use a great deal.	Winter weather -- dangerous at top (near Yaak north of study area).	No. Does nto mind going slower and enjoying the view.	Not much. Rarely passes a car.	Yes. Tries to avoid winters. Two main groups use: 1) Libby to ski resort; 2) Yaak to Libby. Lots of people in Yaak shop in Bonner's Ferry, ID.	Not quite 50% of the time.	Deer, anywhere to every where. Moose by creek by Summit Pond (marsh). Bear once long ago. Saw a bear on his porch last night (11/07/06).	Ongoing upgrades to ski resort.	Okay with upgrades Libby to ski resort. Beyond ski resort, okay with the way it is and wants to keep it that way. Leave the road alone north of the ski resort. It is safe and comfortable. Keep primitive frontier.	Western news owner was very cooperative -- Paul Burton.
Michael Garrity, Alliance for Wild Rockies, Helena	E	Rarely -- took photos of the hwy for MDT.	Recreation	there is no obstacle	People driving too fast and passing on blind corners.	No problem	Yes -- I've only traveled this roadway in the summer.	Yes.	Deer.	Residential development -- more in general. (did not offer specifics)	Has the TMDL been completed 303d not one. 1) Bull trout and 2) Grizzly habitat -- that bears can still cross roadway.	
Louisa Wilcox, Natural Resource Defense Council, Bozeman	E	Interested in grizzly bear recovery.	Our organization is interested in grizzly recovery in the area	No answer given assumed this is not relevant to organization.	Bear safety	Never driven road.	not applicable	not applicable	This is a known grizley bear recovery area, our organization is concerned about bear habitat and recovery.	no answer given	Not per se with the road. Roadway improvements could contribute to cumulative impacts to bear habitat which could impede recovery efforts	Grizzly literature -- recent studies -- Key Core Habitat -- David Madsen -- Troy Merrill -- scale of map -- habitat needs to connect with something beneficial for bears.
Malcolm Edwards, Libby Ranger District	B	Once a week all year.	Work related -- in forest district	Sight distance/Pavement conditions of road/shaded in the winter, so it is icy.	No answer given	Sight distance/Pavement conditions of road/shaded in the winter, so it is icy.	No, travel all year long for work & recreation	Everytime.	Deer.	No answer given	Good to keep rural character of the road -- Better sight distances -- Improve curves -- Open the road to allow sunshine to melt snow and ice.	No.
Sarah Canepa, Yaak Valley Forest Council, Troy	E	I live in the northern recovery zone (north of the study area) I travel to Libby 4x per week. In our organization members travel this roadway 4 or 5 x per week.	I use the road to travel from work to home. People in the org use it to go to Libby to get groceries.	In the summer speed with the roadway condition slowing you down. In the winter (if the road is plowed) drivers safety.	#1 drop offs -a few guardrails would help. #2 passing opposing traffic.	Traffic is not significant, passing is a danger -width of road for passing is an issue, locals are in a hurry and "know the road" but it is dangerous to speed on this road, snowmobiles also use this roadway -especially near Turner Mtn.	I travel the road less in the winter and at night because I do not have confidence on this road. I primarily use 508 in winter. Using this road in winter depends on driver confidence, storms-snow accumulation and vehicle 4x4 abilities.	Deer increase at night, I see more wildlife on 508 and at the lower section of Pipe Creek (Bobtail). Sightings of Black Bear, Bobcat, Mtn. Lion.	On 508 and lower Pipe Creek by Bobtail. I see less wildlife in upper Pipe Cr because it is steep and animals cannot easily access the roadway.	Private land is being sold with more homes/cabins going in. If power were to go through it would quickly develop. I wouldn't be surprised if Turner Mtn expands.	Our organization is concerned with aesthetics of the road. We want it to keep the current aesthetic look, avoid road cuts, use natural stone walls for retaining. We are concerned with the wildlife and fisheries -this is a bull trout stream, we don't want sediment problems associated with roadway	Drainage and water shead data should be studied -get from natural resources, forest service and related agencies.
Rod Kramer, Adventure Cycling, Missoula	B	Bike tours -this is an area our organization suggests as a good place to ride. I personally (bike) ride this road once a year.	recreation and touring	Weather is the biggest obstacle to using this road.	Only specific in winter conditions.	Traffic is not significant.	Only in summer.	I almost always see some form of wildlife (but he was not specific).		No	No specific issues.	None offered.
Tony Barget, Mayor of Libby	C & B	About 3 times per month.	I use the road to travel to my property up the Yaak, to take my kids skiing, for work (he owns and operates a pump business).	Narrow roadway.	Motorist safety because the road is so narrow with blind corners.	In the study area, I generally see 5 to 10 cars which is more than you see above Tuner Mtn.	If the weather is bad in the winter I avoid it -I use the roadway more in the summer.	I don't see much dead deer -it seems less deer in this area than on other roadways like the highway between Libby and Kalispell.	Not offered.	No	Grizzly are more in the Yaak as bear in general than on this roadway.	No.